

JAN 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Atty. Docket No.:
STEVEN HILL)	78813 (135-2(3) US)
)	
Serial No. 10/761,275)	Art Unit: 2813
)	
Filing Date: JANUARY 22, 2004)	Examiner:
)	TUAN NGUYEN
Confirmation No. 3170)	
)	
For: DOPED SEMICONDUCTOR POWDER)	
AND PREPARATION THEREOF)	

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION UNDER 37 CFR 1.321(d)**

VIA FACSIMILE NO. 571-273-8300

Mail Stop Amendment
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The owners, Group IV Semiconductor Inc, whose full post office addresses are 540 Brierwood Avenue, Ottawa, Ontario, Canada of 100% interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of United States Patent Application No. 10/761,409 entitled "Doped Semiconductor Nanocrystal Layers and Preparation Thereof", hereafter referred to as the disqualified application. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In re Patent Application of:
HILL ET AL.
Serial No. 10/761,275
Filed: JANUARY 22, 2004

The owners of 100% interest in the instant application, Group IV Semiconductor Inc, whose full post office address is 540 Brierwood Avenue, Ottawa, Ontario, Canada and the owners of 100% interest in the disqualified patent application Group IV Semiconductor Inc whose full post office address is 540 Brierwood Avenue, Ottawa, Ontario, Canada, and McMaster University, whose full post office address is 1280 Main Street, Hamilton, Ontario, Canada, hereby: i) waive the right to separately enforce and the right to separately license the instant application and the disqualified application; ii) agree that the instant application and the disqualified application shall be enforceable only for and during such period that the instant application or patent and the disqualified application or patent are not separately enforced and are not separately licensed; and iii) agree that such waiver and agreement shall be binding upon the owner of the instant application or patent, its successors or assigns, and the owner of the disqualified patent or application, its successors, or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In re Patent Application of:
HILL ET AL.
Serial No. 10/761,275
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 50-1465 and please credit any excess fees to such deposit account.

Respectfully submitted,



CHARLES E. WANDS
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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, this 9 day of January 2006.

